

AMENDMENTS TO THE DRAWINGS

Please amend the drawings by replacing FIGs. 1-10 (sheets 1-12) with replacement FIGs. 1-12 (sheets 1-12). The drawings have been amended to formal drawings from the original informal drawings which were submitted previously.

REMARKS/ARGUMENTS

Reconsideration of this application in light of the present amendment and remarks is respectfully requested. In the outstanding office action, claims 1-3, 6-9, 12, 15, 16, 17, 19, and 20 are pending in the application. Claims 1-3, 6-9, 12, 15, 16, 17, 19, and 20 are rejected. Claim 16 is objected to.

The drawings have been amended herein to formal drawings from the original informal drawings which were submitted previously.

In response to the office action, claims 1, 3, 6, 8, 9, 12, 15, 17, and 19 were amended. Claims 2, 7 and 16 were cancelled. Claim 20 remains unchanged.

Applicants respectfully request entry of this amendment after final rejection as it merely cancels claims and/or complies with formal requirements made in the Office Action of August 10, 2006.

Claim Objections:

In response to the Examiner's objections, Claims 3, 8, and 19 have been amended according to the Examiner's objections in item 3, page 2 of the Office Action dated August 10, 2006. The objection to claim 16 is moot in view of the cancellation of claim 16 herein.

Rejection of Claims 2 and 3 under 35 U.S.C. 112, second paragraph:

The rejection to claim 2 is moot in view of the cancellation of claim 2 herein. In response to the Examiner's rejection of Claim 3 under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter Applicant regards as the invention, Applicants have herein amended 3. Specifically, Claim 3 has been amended to clarify the operation at the destination node when a plurality of realizations of the data packet are received.

Allowable subject matter:

Applicants acknowledge the allowability of claim 16 once amended to be rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have herein amended the base claim 12 to include the limitations of claim 16, therein providing the base claim 12 in allowable form.

Applicants acknowledge the allowability of claims 2-3 and 7-8 if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph including all the limitations of the base claim and any intervening claim. Applicants have herein amended base claim 1 to include an amended version of claim 2 to overcome the rejection under 35 U.S.C. 112. Specifically, Claim 1 includes the limitations of previously presented claim 2 to change “receiving a plurality of realizations of said data packet” to “receiving at least one realization of said data packet”. This amendment clarifies the claim language if only one relay node is being received from.

Claim 3 has been amended to be dependent on amended claim 1, and claim 8 remains dependent upon amended claim 1, which claim is now believed allowable.

Rejection of Claims 1, 6, 12, and 15 under 35 U.S.C. 102(e) as being anticipated by Srikrishna et al (US 7,031,293):

Applicants respectfully request reconsideration of the rejection of Claims 1, 6, 12, and 15 under 35 U.S.C. 102(e) as being anticipated by Srikrishna et al (US 7,031,293) as herein amended.

Independent Claim 1 has been amended to incorporate the limitations of allowable claim 2 including amendments to overcome the rejections under 35 USC 112, second paragraph, and thus is respectfully believed to be in allowable form. Dependent Claim 6 is respectfully believed to be in allowable form based on its dependency on Claim 1.

Independent Claim 12 has been rewritten to incorporate the limitations of allowable claim 16. Dependent Claim 15 is respectfully believed to be in allowable form based on its dependency on Claim 12.

Rejection of Claims 9, 17, 19, and 20 under 35 U.S.C. 103(a) as being unpatentable over Srikrishna et al (US 7,031,293):

Applicants respectfully request reconsideration of the rejection of Claims 9, 17, 19, and 20 under 35 U.S.C. 103(a) as being unpatentable over Srikrishna et al (US 7,031,293) as herein amended.

Independent Claim 9 has been amended to incorporate the limitations of allowable Claim 2 including amendments to overcome the rejections under 35 USC 112, second paragraph, and is therefore respectfully believed to be in allowable form.

Independent Claim 17 has been amended to incorporate the limitations of allowable Claim 16 and is therefore respectfully believed to be in allowable form. Dependent Claims 19 and 20 include further limitations of the now believed allowable Claim 17 and therefore are respectfully believed to be in allowable form.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge Deposit Account 502117, Motorola, Inc, with any fees which may be required in the prosecution of this application.

Respectfully submitted,

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